Remarks of Norman L. Reimer  
Installation of James B. Kobak Jr. as President  
NYCLA’s Annual Meeting – May 27, 2010

Thank you. And my congratulations to this entire magnificent team of officers - Susan Walsh, Gail Donahue, Barbara Moses, Stewart Aaron and Jim Kobak. There’s an old saying – it goes back to the Victorian Age - that “children should be seen – and not heard.”

Well, around bar associations, it is sometimes said that “former presidents should be seen and not heard.” And there are times when I’m not totally in disagreement with that, so I want to thank Ann and Jim for making an exception for me tonight. It’s nice to be heard.

In fact, there really is no greater honor than to address an audience in this auditorium.

My accountant and I have had many deep, metaphysical discussions about whether my legal residence is New York or DC. But there is no doubt
where my legal home is. It’s here at NYCLA.

I relish the opportunity to appear before you during that brief interregnum between the conclusion of one president’s terms and the commencement of another. This moment, which comes along every year or two, is an opportunity to pause momentarily to reflect upon this unique bar association and its role in the profession.

With Ann Lesk at the helm, NYCLA continued to champion the cause of justice on cutting edge issues speaking with the voice of a bar association that has chiseled a legacy of leadership. Achievements abound across a constellation of projects including expansion of pro bono service to unrepresented civil litigants, - a special need during a deep recession - trailblazing reports to advance independence of the judiciary and fairness in administrative proceedings, and so much more.

And, on the amicus front, NYCLA played a pivotal role with successful briefs on issues ranging from judicial
compensation, access to justice for same sex couples, and of course, a landmark victory in *Hurrell Harring* - a major indigent defense reform case – with profound national implications. I especially note how Ann has embraced the cause of indigent representation, especially for criminal defendants. Here we have a Trusts and Estates expert who has become a tenacious advocate for quality indigent defense. There is no better example of why bar service presents one of the most challenging and rewarding professional opportunities.

The nation’s failure to deliver on the promise of *Gideon* remains a passionate concern for me and I am proud that NYCLA continues to provide leadership for bar groups everywhere.

NYCLA’s participation in *Hurrell Harring* and Ann’s leadership in speaking out against state funding cuts and the City’s unilateral abrogation of the indigent defense system that has been in place in New York City
for nearly half a century – a move that threatens to
degradetheoverallqualityofrepresentation-embodya
core NYCLA principle: equal access to justice
irrespective of origin, belief or class.

Commitment to this principle, regardless of the self-
interest of some constituencies or practice areas, reminds
us – once again - of why NYCLA is special and why its
voice is so well respected. NYCLA’s tradition is to
speak to the highest aspirations of the profession and the
justice system, whether or not it is in the economic self
interest of a particular class of clients or lawyers – and
sometimes even when it may not seem in the short term
bestinterest of the association.

As long as this bar association remains faithful to the
pursuit of justice, it is and always will be indispensable-
and lawyers of conscience will always want to associate
with such an institution.

NYCLA membership is reaffirmation in the belief
that the practice of law is something far more important that simply a way to make a living. This basic principle of professionalism receives an infusion of unprecedented energy as leadership tonight passes to Jim Kobak – NYCLA’s Champion of Professionalism.

Before we enter into this new era, however, let’s take one final moment to reflect on the one that concludes. Ann Lesk not only robustly advanced NYCLA’s mission across the broad spectrum of issues I just mentioned. But as importantly, Ann also fulfilled a major and essential goal of her presidency. She fulfilled her pledge to tend to the urgent needs of this historic building - the Home of Law.

The rehabilitation is well on its way. The leaks have stopped. The rains may fall, but for the first time in decades, NYCLA is dry! (Well, it’s dry – at least as far as rainwater goes!) Ann’s concern for the building has nurtured NYCLA’s physical being and restored it to
health.

Please join me in saluting Ann Lesk - a great and dedicated leader for NYCLA and the profession.

And NOW we will have a President who will nurture NYCLA’s soul.

Every May, usually in the beginning of the month, the American legal profession celebrates Law Day. It was the Eisenhower Administration’s answer to the Soviet Union’s May Day display of military might at the pinnacle of the Cold War. America would show the world that our adherence to law and fundamental rights is more potent that the most deadly missile. And history confirmed that thesis.

When I learned that the theme of this year’s Law Day was “Enduring Traditions and Emerging Challenges,” it instantly occurred to me that whoever came up with that idea had to be thinking about Jim Kobak’s upcoming installation as NYCLA’s 57th president.
Jim Kobak’s legacy at NYCLA and in the profession embodies reverence for enduring tradition. To begin with, he has devoted his career to the firm of Hughes Hubbard Reed, where by all accounts he is one of the most beloved, respected and revered partners – There, he chairs the Antitrust Practice Section and the Practice Standards Ethics Committee. When you hear Jim Kobak’s name mentioned by his colleagues, rarely is it in a sentence that does not include adjectives such as, loyal, reliable, modest, intellectual and above all, honorable. He is the calm in the midst of any storm. I’m told that around the firm, he is known as the “Ethics Guru.”

His long commitment to Hughes Hubbard mirrors his long commitment to NYCLA and both underscore perhaps the greatest of attributes: dependability.

The connection to Hughes Hubbard is also a rich reminder of enduring tradition. Jim is the third NYCLA president from that firm – the first is right over there on
my left – the majestic portrait on the east wall. That’s Charles Evans Hughes Sr., who ascended to the NYCLA presidency in 1920, but that was only after he prepared himself for the NYCLA job by serving as Governor of NY, Association Justice of the Supreme Court and an unsuccessfully running for the presidency against Woodrow Wilson in 1916. He took on somewhat more challenging positions when he left NYLCA to serve as Secretary of State and then as Chief Justice.

In his history of NYCLA, *Brethren and Sisters of the Bar*, Dave Robertson, my successor as president, recounts a quintessential moment, one which echoes through the ages with special resonance today.

90 years ago – as today - the nation faced another era of xenophobic overreaction. Then, the overreaction was to a burgeoning labor movement and a handful of radicals. United States Attorney General A. Mitchell Palmer launched what came to be known as the “Palmer
Raids” – in which thousands of aliens were lawlessly rounded up, imprisoned and harassed.

Palmer was a guest speaker at NYCLA’s 1920 Annual Dinner where he urged extending the alien sedition laws to citizens. Dave Robertson’s research confirms that the evening’s speeches were uncharacteristically omitted from the 1920 Yearbook. But, I did a little research of my own, and although I cannot confirm that these are the specific words that triggered Hughes’ response, another historian quotes a speech by Palmer at that same time period as follows:

“Out of the sly and crafty eyes of many of these Radicals leap cupidity, cruelty, insanity, and crime; from their lopsided faces, sloping brows, and misshapen features maybe recognized the unmistakable criminal type.”

After Palmer’s remarks, Charles Hughes – NYCLA’s
President - immediately rebuked him denouncing “bigotry and intolerance as incompatible with democratic institutions.”

So here we are 90 years later.

Facing “Emerging Challenges” that still require strong and courageous leadership from the profession.

And we have it.

We have it because NYCLA’s next president is the Professional’s Professional: Jim Kobak.

I know from first-hand experience that Jim has already blazed a trail of accomplishment. As a Board member, as chair of enumerable committees, as an officer, and as President of the NYCLA Foundation, Jim’s contributions and dedication to NYCLA exemplify his dedication. He calmly and confidently accepts any responsibility and shrinks from no challenge.

He has made the preservation and modernization of NYCLA’s Library a prime mission. And he has garnered
invaluable support to realize that mission.

He has contributed mightily to the capital campaign, most especially, and most appreciated by me, by his willingness to reach out to others - and with substantial success.

But there are two achievements which for me define Jim Kobak and what he brings to NYCLA and the profession.

For five years he has guided the efforts of NYCLA’s Task Force on Professionalism. A key recommendation – the establishment of a mentorship program has already been implemented. But I know from my early involvement that one of the first tasks of the Task Force was to define “professionalism” in the law. Not surprisingly, these excerpts perfectly describe Jim:

“Pursuit of a learned art in the spirit of a public service is the essence of being a lawyer. It implies obligations of dignity, integrity, self-respect and respect
for others. Although duties to their clients in particular matters are paramount, throughout their careers lawyers must remain conscious of and committed to the goal of improving the profession and the system of justice.”

This last aspect must be underscored: “Lawyers must remain conscious of and committed to improving the profession and the system of justice.” That’s Jim Kobak.

And to this end, Jim has already launched another project – the development of a new strategic plan for NYCLA. He is committed to overlook no opportunity, leave no stone unturned, no sacred cow in its pasture, and do whatever it takes to transform this bar association into a technological, professional and social resource that will serve the 21st century lawyer.

With reverence for tradition and awareness of emerging challenges, Jim Kobak comes to the presidency determined to ensure that NYCLA remains a vibrant and
indispensable Home for lawyers from every practice area for whom professionalism is a way of life. So that whether fighting for the representation of the poor, denouncing bias and bigotry, defending judicial independence or simply making sure that the practice of law remains a profession and not merely a business, NYCLA will be there.

Just as Jim’s predecessor lashed out at injustice 90 years ago, with Jim’s leadership NYCLA will keep that tradition alive for yet another generation of New York lawyers.

NYCLA – it is time for a new beginning, a new leader, a new guru.

It is a great honor to introduce the President of the New York County Lawyers’ Association: James B. Kobak, Jr.